



Cherry Point Aquatic Reserve Implementation Committee Meeting Minutes - DRAFT

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October 23, 2012

Alcoa Intalco Works Totem Terrace Facility, Ferndale, WA.

PARTICIPANTS: **April Markiewicz** (Western Washington University), **Marie Hitchman** (Whatcom County Beachwatchers), **Rebecca Schlotterback** (Whatcom PUD), **Elizabeth Kilanowski** (Citizen), **Bert Rubash** (Whatcom County Marine Resources Committee), **Wendy Steffensen** (ReSources), **Steve Irving** (Audubon Society), **Barry Wenger** (Raven's Eye Environmental Consulting), **Kathryn Mitchell** (Alcoa), **Michael Kyte** (ARDEA Enterprises Inc), **Stephan Michael** (Journalist), **Fred Felleman** (Friends of the Earth), **Brendan Brokes** (Washington Department of Fish and Wildlife), **Alan Chapman** (Lummi Nation), **Kyle Loring** (Friends of the San Juans), **Jeff Chalfant** (Cherry Point Refinery), **Kyle Murphy**, **Michael Grilliot**, **Betty Bookheim**, **Dennis Clark** (Washington State Department of Natural Resources)

INTRODUCTIONS:

There was a change to the agenda, moving the Department of Natural Resources (DNR) update after the management action prioritization exercise.

DISCUSSION:

1. Jim West from the Washington Department of Fish (WDFW) and Wildlife's Puget Sound Ecosystem Monitoring Program (PSEMP), toxics and biota unit joined us to discuss Washington's Mussel Watch Pilot Expansion project.
 - The national mussel watch program has provided an excellent continuous dataset, describing the current status of pollution and trends over time, for 25 years. However, the information is inadequate for local level adaptive management. WDFW wants to expand the national program in Puget Sound and fund 60 sites using an EPA funded grant.
 - This pilot expansion will:
 - 1) Evaluate geographic extent of chemical contamination in shoreline biota. Measure magnitude of contamination where it occurs.
 - 2) Compare contamination pattern in mussels with adjacent shorelines.
 - 3) Compare contaminant uptake between mussels and eelgrass, with the long term goal to establish Puget Sound status and trends.

- The expansion will place 16 inch square cages with 4 bags of Pacific blue mussels (16 mussels/bag) per cage in tidal ranges of 0 to -1.5 Mean Lower Low Water, from November 2012 to January 2013. The mussels do not metabolize contaminants so we are left with two months of highly accurate contamination data. Sampling will take place in the winter to be compatible with the national program, to capture the higher runoff and stormwater signatures, and to avoid spring spawning period of mussels.
- The cages will be sited in locations of other current research to combine the information with other studies, such as oil spill sediment samples and eelgrass sampling.
- The DNR reserves program is sponsoring nine mussel watch sites in the various Aquatic Reserves. Two would be in the Cherry Point Aquatic Reserve.

Questions/Comments

- There was a short discussion as to where the mussel watch cages should be placed. There was also a suggestion to ask SSA Marine to sponsor cages on their tidelands. (Update: SSA Marine sponsored two cages that were placed on November 14, 2012.)
 - DNR will work with several volunteers to deploy the cages in November.
2. The group went through a collaborative prioritization process to identify management actions from the Reserve Management Plan that committee members think are worth pursuing first. The results would be used to develop an implementation work plan in 2013. The suggested priority actions were grouped into the same categories as those found in the plan:
- Conservation of Ecosystems, Habitats and Species
 - Restoration and Enhancement
 - Outreach and Education
 - Monitoring, Data Collection, and Research
- The prioritized list provides, in no particular order, the actions identified by committee members. The results of this discussion are attached to the end of these minutes as Appendix A.

Questions/Comments

- There was a question regarding whether to include actions not in the management plan. DNR wants to limit the prioritization exercise to management actions defined in the management plan to respect the process the Cherry Point Work Group went through to develop the actions.
 - The next step will be to prioritize the actions within each category, followed by an exercise/discussion regarding implementation of each action. The prioritization process will either be done individually prior to the next committee meeting, or at the next meeting. DNR will seek feedback on which approach to use.
3. DNR provided a short update on other aspects of management of the Cherry Point Aquatic Reserve.

- DNR Aquatic Reserves Program staff is educating other DNR staff on what reserve management means.
- Reserves staff are becoming more involved in oil spill response related to reserves.
- The reserves program is working with the seven Puget Sound Corps Individual Placements who are performing various scientific monitoring protocols for the reserves program.
- DNR will look into getting permission from SSA Marine to remove creosote logs from their tidelands.

4. The Cherry Point Citizen Stewardship Committee provided an update.

- The committee has met three times and is looking at science projects (around six or seven) that citizens could engage in.
- These projects may include, forage fish, marine mammal, seabird, intertidal biotic, and larval monitoring, and a visitor use survey.
- The committee is funded to meet through December of 2013.

CLOSING:

The next meeting will be held in about 3-4 months. A survey monkey will be sent out to everyone in the next month or so asking for possible meeting dates.

- Next Actions for DNR:
 1. Contact SSA Marine to inquire about having them sponsor two mussel watch cages on their tidelands. (Update: SSA Marine sponsored two cages which were placed on November 14).
 2. Write up a prioritized list of management actions and include with meeting minutes.
 3. Look into linking to NOAA tidal information from the DNR Cherry Point website.
 4. Forward Jim West's mussel watch presentation to the implementation committee.

Appendix A – Results from the Management Action Prioritization Exercise

Page numbers corresponding to the location in the management plan where that management action can be found are listed in brackets after each management action.

The following categorized lists are not arranged in any particular order of importance or prioritization. Prioritizing these actions identified by the committee will be one of the next steps conducted either before or during the next committee meeting.

Conservation of Ecosystems, Habitats and Species

Tier 1

- Manage existing and future activities on state-owned aquatic lands with an emphasis on protection of the aquatic habitat and species identified in this plan over other actions. (See the allowed uses section for specific standards). [p. 35]
- Ensure through use authorizations that structures, uses, and operations are designed to avoid impacts to wave energy, nearshore sediment drift, aquatic and riparian vegetation, fish and wildlife species and their habitats. Development and operation of the new overwater structure and modification or expansion of existing structures must be designed to avoid and or minimize noise, light, wave shading, and artificial light based on required studies, scientific research and monitoring, and knowledge of the ecosystem characteristics. Prior to approval, the required studies listed in the ‘allowed uses’ section must be completed. [p. 35]
- Facilitate the development of site-specific habitat protection plans when appropriate. Habitat protection efforts may include: placement of important habitat on adjacent lands into conservation easements, or acquisition of tidelands, wetlands, and shoreline property through gifts. [p. 35]
- Support recovery efforts for Cherry Point herring. Work with WDFW, the Tribes, and other agencies to reverse the decline and bring the population to a spawning herring biomass of 3500 tons by the end of 5 years and 5000 tons at the end of 10 years. [p. 35]
- Determine the need for mooring buoys to address interaction between tug and tow operations and crab fisheries. [p. 35]
- Where opportunities arise, partner with state and local government, tribes, non-profit organizations, businesses, and adjacent landowners to identify and implement protection of adjacent aquatic areas and uplands. Special consideration should be given to protection of the salt marsh at Gulf Road. [p. 35]

- Encourage Whatcom County to coordinate with the owner of the beach in the area of Gulf Road so that public access may be improved and developed in the future, and strive for the same levels of protection provided at the Point Whitehorn Park. [p. 36]
- In coordination with Coast Guard, industries, pilot associations (Puget Sound Pilots), commercial and tribal fishermen, analyze vessel interference and evaluate options for reducing impacts from anchoring and barge in tow on habitat and loss of fishing gear. Consider viability of open water mooring systems. [p. 37]

Outreach and Education

Tier 1

- Education regarding the sensitivities of the Cherry Point ecosystem with emphasis on trampling of aquatic vegetation and disturbance of birds and seals (in haulout areas). [p. 42]
- Provide outreach to the public regarding issues and progress on the reserve. Develop a listserve, webpage, or email list to send updates. Work with interested parties to co-sponsor periodic conferences on Cherry Point reserve science, progress, and other issue of interest to the public. [p. 42]

Restoration and Enhancement

Tier 1

- Mapping and removal of rogue creosote logs along the beach at Cherry Point in coordination with City of Bellingham, Ecology, Beach Watchers, adjacent landowners and the Whatcom Marine Resources Committee. [p. 41]
- Ensure that protection and restoration plans address the need to mitigate the effects of climate change upon the valued ecological resources described in this plan. Using likely scenarios of climate change developed through careful monitoring, data collection and vulnerability assessment, working in coordination with the Climate Impact Group of the University of Washington, Whatcom County, and others. [p. 41]

Monitoring, Data Collection, and Research

Tier 1

- Identify and catalog habitat protection, enhancement, and restoration opportunities with special emphasis on native submerged aquatic vegetation. [p. 43]
- Identify any additional necessary and immediate protections for forage fish spawning habitats, marine and terrestrial bird habitat, and submerged vegetation. [p. 43]
- Monitor toxicity in the nearshore to assess potential impacts of contaminated groundwater discharges. [p. 43]

- Conduct detailed seafloor mapping and analyze habitat characteristics within the management area. [p. 44]
- Identify the location, extent and quality of other forage fish (e.g., surf smelt, sand lance) spawning habitat. [p. 44]
- Measure the diversity, distribution, and abundance of intertidal species adjacent to and within the Cherry Point Aquatic Reserve. Work with WFDW to assess ballast water exchanges to inform methods of reducing invasive species transport. [p. 44]
- Conduct research on the seasonal occurrence of larval organisms present along the Cherry Point Aquatic Reserve to help inform dispersant use decision making by Incident Command in the event of a spill. [p. 44]
- Coordinate with NOAA, WDFW, Industries, pilot associations (Puget Sound Pilots), USCG, Whale Network, commercial and tribal fishermen, scientists and researchers to collect and maintain a tabulation of presence/absence of marine mammals, including the following data to improve advice to mariners on when and where whales are most likely to occur. [p. 44]
- Surveys to determine abundance, distribution, and population trends of nearshore and riparian bird species, such as ongoing studies including Western Washington University (WWU) and Puget Sound Assessment and Monitoring (PSAMP) programs. All avian studies should be conducted throughout the year for a complete understanding of the use and trends in the Cherry Point Aquatic Reserve. [p. 45]
- Inventory and characterization of existing riparian condition, monitor condition at regular intervals, and evaluate trends and environmental effects of management. [p. 45]
- Continue monitoring of local fish (salmon, flatfishes, forage fish) and shellfish (Dungeness) populations to evaluate trends and effectiveness of management. [p. 45]
- Continued monitoring of the Cherry Point herring stock population and spawning events to evaluate trends and effectiveness of management herring or other species that use the Cherry Point area as a spawning ground. These may be altered by changes in currents, temperature or other clues used by the Cherry Point Pacific herring to set spawning time and location. [p. 45]
- Determine causes for small size, low hatch rate, and the high rate of abnormal development in Cherry Point herring stock both as an assessment of the intrinsic health of the stock and in regards to the geographical pattern of abnormalities seen in outplants along the shoreline in the 1990s. [p. 47]
- Research ways to reduce shading of herring and forage fish habitat where necessary, and reduce evening illumination during spawning season. [p. 47]

- Assess effects of sound from commercial vessel traffic and dock operations on the spawning behavior of herring. [p. 47]
- Provide ongoing groundwater characterization with specific focus on nearshore contamination. [p. 48]

Water and Sediment

Tier 1

- DNR will protect the reserve from pollution through appropriate limits on use authorizations. Specifically, DNR will: Require lessees to demonstrate that new point source discharge outfalls for stormwater, or industrial wastewater, and increases in discharges from existing DNR authorized facilities are designed to avoid or minimize individual and cumulative adverse impacts to Cherry Point herring stock, other aquatic habitat, and water quality (see allowed uses section). [p. 37]
- For modification of existing point source discharge outfalls or stormwater conveyance pipes, lessee must demonstrate that the water does not exceed water quality standards. Monitoring reports demonstrating compliance with standards must be submitted to DNR prior to completion of modification. [p. 37]
- Work with dischargers to reduce impacts of existing discharges, exploring opportunities for treatment, reuse, and other methods. [p. 38]
- Encourage Ecology to fund and implement the Treoil Site Emergency Interim Actions (March 2000) to characterize and stabilize waste and releases at the site. Ecology should raise this site to a higher priority on their Contaminated Sites List for remedial action because of questions for potential contamination of the reserve and clean-up plan for groundwater contamination from the Treoil site, if warranted. [p. 38]
- Work with WDFW, Ecology, and leaseholders to develop strategies for dealing with ballast water from ships that call at Cherry Point terminals consistent with Chapter 77.120 RCW, WDFW ballast water management, the interim ballast water management laws, and upcoming recommendations of the Ballast Water Working Group. [p. 38]
- Work with Whatcom County, Ecology, and industries to minimize or prevent any new sources of nonpoint pollution to the Cherry Point Aquatic Reserve. Special emphasis should be placed on limiting impacts from stormwater runoff. [p. 38]
- Encourage Ecology to require sediment quality studies as a part of all NPDES permits.
- Work with Whatcom County, Whatcom Public Utility District (PUD), Birch Bay Water and Sewer District, Ecology, and dischargers in support of proposals for the treatment and re-use of stormwater, re-use of treated wastewater and re-claimed water, and water conservation programs in order to reduce discharges. Assist existing dischargers with

alternatives for water re-use, designs, permits, and information on applicable grant funds. [p. 38]

- Work with WDFW, Ecology, Coast Guard, EPA, leaseholders, the Invasive Species Council, U.W. Sea Grant and others to develop and implement a management plan, including monitoring and adaptive management plans, to reduce the risks of non-native species to the valued ecological resources at Cherry Point. Strategies should include controlling the introduction of non-native plant and animal species and their management and eradication to protect native plant and animal communities. Ensure that protocols and monitoring efforts are expanded to address increased threats of non-native species from increased vessel traffic. [p. 39]

Tier 2 or not mentioned in Management Plan

- Develop a set of indicators (like the Puget Sound Partnership's science panel indicators)